

Sent by email to delores@water.ca.gov and by U.S. Mail

February 24, 2003

Delores Brown, Chief
Mitigation and Restoration Branch
Department of Water Resources
3251 S Street
Sacramento, CA 95816

**Subject: Scoping Comments on the Monterey Amendment to the State Water
Project Contracts et al Notice of Preparation of Environmental
Impact Report (NOP)**

Dear Ms. Brown:

Contra Costa Water District (CCWD or the District) has reviewed the Notice of Preparation for the Department of Water Resources' (DWR) Environmental Impact Report for the "Monterey Amendment to the State Water Project contracts (including Kern Water Bank Transfer) and Other contract Amendments and Associated Actions as Part of a Proposed Settlement Agreement in Planning and Conservation League v. Department of Water Resources" (Project), released on January 24, 2003. CCWD is hereby providing its scoping comments on the Project.

CCWD is a publicly owned water supply agency serving approximately 450,000 people in central and eastern Contra Costa County and has a vital interest in protecting the quality and reliability of its water supply. A description of CCWD's existing water system and new facilities is attached (Attachment A). CCWD currently diverts its drinking water supply from intakes at Rock Slough, Old River south of Highway 4, and Mallard Slough. CCWD's drinking water supplies are vulnerable to degradation in San Joaquin River water quality. CCWD is concerned about elevated contaminant concentrations such as salt, total organic carbon (TOC), and pathogens at its Delta drinking water intakes. CCWD's service area is within or conveniently served from the legal Delta, and is therefore interested in the Delta Protection Act in particular and other statutes generally known as "Area of Origin" statutes.

CCWD has three specific scoping comments it anticipates seeing discussed in the Environmental Impact Report for the Project (EIR).

Water Quality and Water Supply Impacts

The EIR should include analysis of water quality and water supply impacts on CCWD's three Delta intakes. CCWD recommends using a water quality significance criteria of 5 mg/L or 5% chlorides increase, whichever is greater, as an indicator of whether a change might be an impact (changes greater than those levels found in the analyses should be examined further).

Fairfield, Benicia and Vacaville Water Rights Settlement

The EIR analysis of water quality and water supply impacts should include the implementation of settlement agreements relating to "Area of Origin" claims, such as the recent Fairfield, Benicia and Vacaville Water Rights Settlement.

Delta Protection Act and Area of Origin Statutes

The EIR should disclose how the Project will address the rights afforded other entities under the Delta Protection Act and "Area of Origin" statutes. This interpretation should not result in redirected impacts to other parties.

CCWD looks forward to reviewing the EIR prepared for this Project. If you have any questions regarding these comments, please contact Lisa Holm at (925) 688-8106, lholtm@ccwater.com or myself at (925) 688-8187.

Sincerely,

Richard A. Denton
Water Resources Manager

LMH

Attachments

A. CCWD operations and facilities

SWP Contracts File

Attachment A CCWD Operations and Facilities

The Contra Costa Water District ("CCWD") serves approximately 450,000 people throughout north, central and east Contra Costa County. Its clients also include 10 major industries, 36 smaller industries and businesses, and 50 agricultural users. CCWD operates raw water distribution facilities, water treatment plants, and treated water distribution facilities. CCWD supplies raw and treated water to Antioch, Concord, Diablo Water District (serving Oakley), Pittsburg, Southern California Water Company (serving Bay Point), Martinez, and parts of Pleasant Hill and Walnut Creek.

CCWD's treated water service area encompasses all or part of the cities of Concord, Clayton, Clyde, Pleasant Hill, Walnut Creek, Martinez, and Port Costa. Treated water for this service area is provided from the District's Bollman Water Treatment Plant in Concord. The 75 MGD Bollman facility uses chlorination for pre-oxidation, chlorination and intermediate ozonation for disinfection and chloramine for disinfection residuals. CCWD also supplies treated water to the Diablo Water District ("DWD"), which serves customers in Oakley from the Randall-Bold Water Treatment Plant, jointly owned by CCWD and DWD. This treatment plant is a 40 MGD direct/deep-bed filtration plant and utilizes both pre- and post-ozonation to provide a high quality drinking water to the customers in its service area.

CCWD is entirely dependent on the Delta for its water supply. The Contra Costa Canal and the recently completed Los Vaqueros Project make up CCWD's principal water supply and delivery system. CCWD diverts unregulated flows and regulated flows from storage releases from Shasta, Folsom, and Clair Engle reservoirs into the Sacramento River as a contractor of the United States Bureau of Reclamation's ("Reclamation") Central Valley Project ("CVP"). Under Water Service Contract I75r-3401 (amended) with Reclamation, CCWD can divert and re-divert up to 195,000 acre-feet annually ("AFA") of water from Rock Slough and the new Old River intake. Currently, CCWD uses between 125,000 and 140,000 AFA. Under CCWD's Water Rights Permit No. 20749, CCWD can divert up to 95,980 AFA of excess Delta flows to Los Vaqueros Reservoir for storage between November 1 of each year and June 30 of the succeeding year. CCWD can also divert up to 26,780 AFA of water from Mallard Slough under its own water rights (Water Rights License No.3167 and Permit No.19856). The City of Antioch and Gaylord Container, both customers of the District, also have water rights permits to divert water from the Delta.

CCWD has obtained its water supply from the Delta since 1940. Delta water is subject to large variations in salinity and mineral concentrations. CCWD and its customers' water supply from the Delta is also vulnerable to any man-made or natural sources that could degrade Delta water quality. Degradation in water quality is objectionable to many CCWD customers, costly to all residential and industrial users, and a health risk for some individuals. The most recent federal drinking water regulations promulgated in December 1998 impose stringent limits on

disinfection by-products in treated water. To ensure that the standards for the principle disinfection by-products that are currently regulated (maximum concentration limits for bromate, total trihalomethanes, and haloacetic acids) are met, low bromide and organic carbon levels in the source water are critical. Bromide level is directly proportional to the chloride concentration in Delta water.

Contra Costa Water District is committed to supplying its customers with the highest quality water practicable and providing all reasonable protection of the supply from any known or potential source of hazardous contamination. CCWD Resolution No. 88-45 states in part that:

"CCWD is committed to reducing the concentration of sodium and chloride in the District's water, thereby reducing household and landscape irrigation concerns and industrial and manufacturing costs caused by the fluctuating sodium and chloride level of CCWD's Delta source...."

In May 1987, CCWD's Board of Directors adopted water quality objectives for water distributed within its service area. The acceptable concentration levels for sodium and chloride were established at 50 milligrams per liter (mg/l) and 65 mg/l, respectively. In 1988, the voter-constituents of CCWD approved the issuance of bonds to finance a \$450 million water quality and reliability project known as the Los Vaqueros Project. The primary purposes of the Los Vaqueros Project are to improve the quality of water supplied to CCWD customers and minimize seasonal quality changes, and to improve the reliability of the emergency water supply available to CCWD. The Los Vaqueros Project consists of a reservoir with 100,000 acre-feet of storage, a new point of diversion (at Old River south of the State Highway 4 crossing) which operates in conjunction with the current Rock Slough diversion point, water conveyance and delivery facilities, pumping plants, and other facilities.

On June 2, 1994, the State Water Resources Control Board issued Decision 1629, which gives CCWD additional rights to divert and store water for beneficial uses. The State Board subsequently issued Water Rights Permits No. 20749 and 20750 for filling Los Vaqueros Reservoir from the new intake at Old River near Highway 4 and diversion and storage of the water of Kellogg Creek. These rights are in addition to the contractual rights to divert and store water furnished through the CVP. Construction of the reservoir began in September 1994 and was completed in January 1998. Diversion from the Old River intake for delivery to CCWD's service area began in the summer of 1997. Under Water Rights Permit No. 20749, CCWD can divert up to 95,980 AFA of excess Delta flows to Los Vaqueros Reservoir for storage between November 1 of each year and June 30 of the succeeding year. On January 28, 1999, the Los Vaqueros Reservoir was filled to 100,000 acre-feet for the first time. In February 1999, CCWD released water from the reservoir for use in the District's service area for the first time. Releases from the reservoir are also scheduled to provide net benefits to the Delta ecosystem by allowing CCWD to cease all diversions during fish-sensitive periods.

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The key to successful performance of the Los Vaqueros Project is the District's ability to fill and continue to refill the reservoir from Old River with high quality water, and to use that water for blending when salinity at the District's Delta intakes exceed the 65 mg/L chloride goal. Any increase in Delta salinity caused by new Bay-Delta projects will increase the demand on blending water from the reservoir while at the same time reducing the availability of high quality water for refilling. The District and its 450,000 customers will be impacted through higher pumping costs to replace the extra blending water that is released, through additional treatment costs, and through increased corrosion and health effects of delivering higher salinity water.

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